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To Council from Barbur 1

A. L. Barbur

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April 29, 1932

TO THE COUNCIL.

Gentlemen:

Your Commissioner of PUBLIC WORKS to whom was referred Council Calendar No. 2193, being petition from the American Institute of Architects asking that the Council withhold the granting of any permits for the erection of buildings along the waterfront from Burnside street to Jefferson street, east of Front street, reports that while there is now on file a petition for the widening of the east side of Front street by taking a strip of private property forty feet in width, no attempt has been made by this department to carry out the provisions of said petition for the reason that they do not believe it is the desire of the owners of the property in that district to pay for the entire cost which such a widening would involve. The petition is therefore being held in abeyance until such time as a bond issue is voted for the purpose.

This petition requests that no permits be issued for the erection of buildings in said area, but it is the understanding of your Commissioner that as long as the builder complies with the provisions of the Building Code there is no law whereby such permits can be withheld.

The establishment of set-back lines along Front street

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Front St.

is recommended in the Bartholomew plan but until this plan is adopted by the people of the City of Portland, the property owners in that area are not controlled by any law further than that provided by the Building Code, and if said provisions are complied with it will be necessary for this department to issue such permits as may be requested.

The American Institute of Architects have been notified that if the owners of 40% of the property affected file a petition requesting the establishment of set-back lines on Front street, an ordinance providing for said set-back lines will be prepared and presented to the Council for passage.

Mr. Frank S. Grant, City Attorney, has been consulted concerning the establishing of set-back building lines on Front street and the legality of withholding building permits until such time as a definite plan is adopted for the development of the waterfront, and he has advised that the present ordinance for the establishment of set-back lines must be followed to establish legally a building set-back line on Front street. He also advised that until such time as a line is established the city cannot legally withhold the granting of building permits.

Your Commissioner recommends that the attached document be placed on file.

Respectfully submitted,

COMMISSIONER OF PUBLIC WORKS

ALB:G

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